

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39261 of 2018

Arising Out of PS.Case No. -50 Year- 2018 Thana -ISUAPUR District- SARAN

- =====
1. Harendra Sah, S/o Prem Sah,
 2. Komal Devi, W/o Harendra Sah, both are R/o Vill.- Ramchaura, P.S.-
Ishuapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 31-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Ishuapur P.S.**

Case No.50 of 2018 instituted for the offence under Section(s)
147, 148, 149, 341, 323, 324, 447, 448, 302, 504 and 506 Indian
Penal Code.

Counsel for the petitioners submits that petitioners
have no concern with the husband of the informant.

In the written report, it is alleged that the husband of
the informant (since deceased) had gone to see orchestra
programme. Buddhu Manjhi was also present in that programme.
The husband of the informant enquired from Buddhu Manjhi why
he had misbehaved with his wife in his absence, then Buddhu
Manjhi had assaulted husband of the informant in orchestra party



but the matter was settled by the villagers. Buddhu Manjhi had threatened to kill her husband on the next day. It is further alleged that on the next day, Buddhu Manjhi along with other accused persons arrived armed with lathi, danda, iron rod and entered into house of the informant. Thereafter, they assaulted the husband of the informant. When the informant went to save her husband, they abused her. Deceased was taken to hospital for treatment, but he died in course of treatment.

Counsel for the petitioners submits that petitioners have no concern with Buddhu Manjhi. It is mentioned in paragraph 7 of the bail petition that petitioners are husband and wife aged about 75 and 72 years respectively.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Ishuapur P.S. Case No.50 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Saran at Chapra**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

**JA/-
Rohit Kr.**

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